

REMARKS

Claims 1-13 are all the claims pending in the application.

I. Response to Nonstatutory Obviousness-type Double Patenting Rejection of Claims 1, 2, 4 and 8

Claims 1, 2, 4 and 8 are provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1, 2 and 5 of co-pending Application No. 10/422,854.

Without conceding the merits of the rejection, a Terminal Disclaimer to disclaim the terminal part of any patent granted on this application which would extend beyond the expiration of the full statutory term of any U.S. Patent issuing from Application No. 10/422,854 is submitted herewith.

In addition, it is submitted that the filing of a terminal disclaimer to obviate a rejection based on non-statutory double patenting is not an admission of the propriety of the rejection.

In view of the above, withdrawal of the non-statutory obviousness-type double patenting rejection is respectfully requested.

II. Response to Rejection of Claims 1, 2, 4, 6 and 8 under 35 U.S.C. § 102(b)

Claims 1, 2, 4, 6 and 8 are rejected under 35 U.S.C. §102(b) as allegedly being anticipated by JP 10-183085 ("JP '085").

The rejection is respectfully traversed.

Independent claim 1 is directed to a partially crosslinked adhesive-supported on a porous film for battery separator, comprising a porous film substrate having supported thereon a partially crosslinked adhesive that is partially crosslinked by preparing a reactive polymer having a functional group in the molecule and capable of being crosslinked upon reaction with a polyfunctional compound having reactivity with the functional group and then reacting the

reactive polymer with a polyfunctional compound

The Examiner asserts that Applicants admit that in JP '085, isocyanate crosslinking generally terminates after the isocyanates is consumed or deactivated by the reaction. In other words, the Examiner asserts that the hydroxyl group in the reactive polymer is generally in excess. Further, the Examiner asserts that nowhere is there a teaching by JP '085 that only a matching amount of hydroxyl groups is incorporated into the reactive polymer.

Applicants respectfully disagree.

The Examiner's assertion that the hydroxyl group in the reactive polymer is generally in excess is not technically accurate. The proportion of the amount of isocyanates to that of the hydroxyl group is variable depending on the desired product. For example, in a case of a polymerization reaction of a hydroxyl group with a monomer having an isocyanates group, when the isocyanates group is required to remain for the next step in the reaction, the monomer having the isocyanates group would be added in a greater amount than the hydroxyl group.

In addition, a claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. In addition, for anticipation, the *identical invention* must be shown in as complete detail as is contained in the claim. See MPEP §2131.

In this case, since JP '085 does not disclose that the adhesive is "partially" crosslinked or the addition of additional crosslinking agents, JP '085 does not teach a partially crosslinked adhesive composition. In this regard, in Example 1 of the present invention, the adhesive is partially crosslinked by being placed in a thermostat at 50°C for 7 days and then placed in a

thermostat at a temperature of 50°C for an additional 7 days to complete the crosslinking. No such steps are taught in JP '085.

Hence, it is submitted that JP '085 does not anticipate claim 1 since it does not disclose each and every element of claim 1.

In addition, claims 2, 4, 6 and 8 and depend, directly or indirectly, from claim 1, and thus, it is respectfully submitted that these claims are patentable for at least the same reasons as claim 1.

In view of the above, withdrawal of the rejection is respectfully requested.

III. Response to Rejection of Claim 7 under 35 U.S.C. § 103(a)

Claim 7 rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over JP '085.

The rejection is respectfully traversed.

Claim 7 depends from claim 1, and thus it is respectfully submitted that claim 7 is patentable for at least the same reasons as claim 1.

In addition, the Examiner asserts that Applicants did not specifically point out the supposed error in the Examiner's action, including a statement of why the noticed fact is not considered to be common knowledge or well-known in the art. In addition, the Examiner notes that Applicants appear to provide additional reasoning why a workable supporting ratio is desired, even if the use language in the preamble is considered.

However, in the Amendment submitted on September 10, 2007, it was pointed out that when the adhesion to a battery is considered, it is preferable that the supporting ratio of adhesive is higher, since the adhesion area becomes larger. Thus, it is not common or well-known to reduce the adhesive surface coverage. Accordingly, contrary to the Examiner's assertion, Applicants did specifically point out the error in the Examiner's notice.

In view of the above, withdrawal of the rejection is respectfully requested.

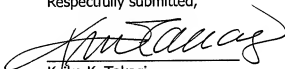
IV. Conclusion

For the foregoing reasons, reconsideration and allowance of claims 1-13 is respectfully requested.

If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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